

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2274

To amend the Internal Revenue Code of 1986 to impose an excise tax  
on the offshore processing of certain fish.

---

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1993

Mr. KOPETSKI introduced the following bill; which was referred to the  
Committee on Ways and Means

---

## A BILL

To amend the Internal Revenue Code of 1986 to impose  
an excise tax on the offshore processing of certain fish.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Factory Trawler Equi-  
5       table Tax Act of 1993”.

6       **SEC. 2. TAX ON OFFSHORE PROCESSING OF CERTAIN FISH.**

7       (a) GENERAL RULE.—Chapter 36 of the Internal  
8       Revenue Code of 1986 (relating to certain other excise  
9       taxes) is amended by adding at the end thereof the follow-  
10      ing new subchapter:

1   **“Subchapter G—Tax on Offshore Processing**  
2                                   **of Certain Fish**

“Sec. 4501. Imposition of tax.

“Sec. 4502. Definitions.

3   **“SEC. 4501. IMPOSITION OF TAX.**

4           “(a) GENERAL RULE.—There is hereby imposed a  
5 tax on the processing of any taxable fish on a fish process-  
6 ing vessel.

7           “(b) AMOUNT OF TAX.—The amount of the tax im-  
8 posed by subsection (a) per metric ton shall be 10 percent  
9 of the ex-vessel value (per metric ton) for unprocessed tax-  
10 able fish.

11          “(c) LIABILITY FOR TAX.—The tax imposed by sub-  
12 section (a) shall be paid by the owner or operator of the  
13 vessel.

14          “(d) WEIGHING DEVICES.—The operator of any fish  
15 processing vessel shall have such fish weighing devices on  
16 such vessel as the Secretary determines to be necessary  
17 to determine the amount of the tax imposed by this sec-  
18 tion.

19   **“SEC. 4502. DEFINITIONS.**

20          “(a) TAXABLE FISH.—For purposes of this sub-  
21 chapter, the term ‘taxable fish’ means any fish which is  
22 Pacific whiting and which is caught in a fishery regulated  
23 under the Magnuson Fishery Conservation and Manage-  
24 ment Act.

1       “(b) FISH PROCESSING VESSEL.—For purposes of  
 2 this chapter, the term ‘fish processing vessel’ has the  
 3 meaning given such term by section 2101(11b) of title 46,  
 4 United States Code.”

5       (b) CLERICAL AMENDMENTS.—The table of sub-  
 6 chapters for chapter 36 of such Code is amended by add-  
 7 ing at the end thereof the following new item:

“Subchapter G. Tax on offshore processing of certain fish.”

8       (c) EFFECTIVE DATE.—The amendments made by  
 9 this section shall take effect on the date of the enactment  
 10 of this Act.

11 **SEC. 3. FISHERIES RESEARCH TRUST FUND.**

12       (a) IN GENERAL.—Subchapter A of chapter 98 of the  
 13 Internal Revenue Code of 1986 (relating to trust fund  
 14 code) is amended by adding at the end thereof the follow-  
 15 ing new section:

16 **“SEC. 9512. PACIFIC WHITING FISHERIES RESEARCH TRUST**  
 17 **FUND.**

18       “(a) CREATION OF TRUST FUND.—There is estab-  
 19 lished in the Treasury of the United States a trust fund  
 20 to be known as the ‘Pacific Whiting Fisheries Research  
 21 Trust Fund’, consisting of such amounts as may be appro-  
 22 priated or credited to such Trust Fund as provided in this  
 23 section or section 9602(b).

24       “(b) TRANSFERS TO TRUST FUND.—There are here-  
 25 by appropriated to the Pacific Whiting Fisheries Research

1 Trust Fund amounts equivalent to the taxes received in  
2 the Treasury under section 4501.

3 “(c) EXPENDITURES FROM TRUST FUND.—

4 “(1) IN GENERAL.—Amounts in the Pacific  
5 Whiting Fisheries Research Trust Fund shall be  
6 available, as provided in appropriation Acts, only for  
7 purposes of making expenditures with respect to the  
8 Pacific whiting fishery for the following: habitat res-  
9 toration, restoration and rebuilding of fisheries and  
10 fishing stock, and by-catch gear selectivity and re-  
11 duction research.

12 “(2) ALLOCATION OF AMOUNTS.—Of the  
13 amounts in the Pacific Whiting Fisheries Trust  
14 Fund which are made available for expenditure dur-  
15 ing any fiscal year—

16 “(A) 40 percent shall be allocated for use  
17 by the Secretary of Commerce, and

18 “(B) 60 percent shall be allocated for use  
19 by the States of Oregon, Washington, and Cali-  
20 fornia and such amount shall be allocated  
21 among such States on the basis of their respec-  
22 tive percentages of the harvest of Pacific whit-  
23 ing which takes place seaward of the coasts of  
24 such States.”

- 1       (b) CLERICAL AMENDMENT.—The table of sections  
2 for such subchapter A is amended by adding at the end  
3 thereof the following new item:

“Sec. 9512. Pacific Whiting Fisheries Research Trust Fund.”

